

# CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope, with sufficient postage, addressed to: Commissioner for Patents, Washington, D.C. 20231, on

January 16, 2001

Date of Deposit

Matthew J. Kelly

Name of Applicant, Assignee or  
Registered Representative

*Matthew J. Kelly*  
Signature

January 16, 2001

Date of Signature

D. John Son  
#6 1-24-01  
JDS  
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Technology Center 2600

Our Case No.: 10508/49  
Conexant Ref. 00CXT0010

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Huan-Yu Su

Serial No.: 09/499,999

Filing Date: February 8, 2000

For: Rate Determination Coding

Examiner:

Group Art Unit No.: 2748

## INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed below and on the attached Form PTO-1449 be considered by the Examiner and

made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

The references now cited are the following:

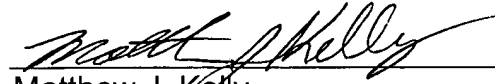
<b>No.</b>	<b>Date</b>	<b>Title</b>	<b>Inventor</b>
5,742,734	04/21/1998	Encoding Rate Selection in a Variable Rate Vocoder	DeJaco, et al.
5,778,338	07/07/1998	Variable Rate Vocoder	Jacobs, et al.
5,898,696	04/27/1999	Method and System for Controlling an Encoding Rate in a Variable Rate Communication System	Proctor, et al.
5,911,128	06/08/1999	Method and Apparatus for Performing Speech Frame Encoding Mode Selection in a Variable Rate Encoding System	DeJaco
6,012,026	01/04/2000	Variable Bitrate Speech Transmission System	Taori, et al.

In accordance with 37 C.F.R. § 1.97(g),(h), this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

This Information Disclosure Statement is being filed prior to the receipt of the first Official Action reflecting an examination on the merits and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these material, the Commissioner is hereby authorized to deduct said fees from Brinks Hofer Gilson & Lione Deposit Account No. 23-1925. A duplicate copy of this document is enclosed.

Applicant(s) respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,

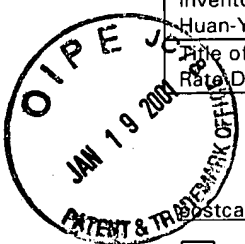
A handwritten signature in dark ink, appearing to read "Matt J. Kelly", is written over a horizontal line.

Matthew J. Kelly  
Registration No. 42,716  
Attorney for Applicant(s)

BRINKS HOFER GILSON & LIONE  
P.O. Box 10395  
Chicago, IL 60610  
(312) 321-4200

GAU 2748  
2645

TRANSMITTAL LETTER			Case No. 10508/49 Conexant Ref. 00CXT0010
Serial No. 09/499,999	Filing Date February 8, 2000	Examiner	Group Art Unit 2748
Inventor(s) Huan-Yu Su			
Title of Invention Rate Determination Coding			



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TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is Information Disclosure Statement; PTO-Form 1449; five cited references; and return postcard.

- ☐ Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- ☐ A verified statement to establish small entity status under 37 CFR §§ 1.9 and 1.27 is enclosed.
- ☐ Petition for a \_\_\_\_\_ month extension of time.
- ☒ No additional fee is required.
- ☐ The fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra
Total		Minus		
Indep.		Minus		
First Presentation of Multiple Dep. Claim				

Small Entity	
Rate	Add'l Fee
x \$9 =	
x 40 =	
+ \$135 =	
Total add'l fee	\$

or

Other Than Small Entity	
Rate	Add'l Fee
x \$18 =	
x \$80 =	
+ \$270 =	
Total add'l fee	\$

- ☐ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$\_\_\_\_\_. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$\_\_\_\_\_ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- ☒ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

*Matthew J. Kelly*  
Matthew J. Kelly  
Registration No. 42,716  
Attorney for Applicant

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Date: January 16, 2001 Signature: *Matthew J. Kelly*  
rev. Dec.-00